UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24955
13 December 1992

ORIGINAL: ENGLISH

LETTER DATED 9 DECEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the cease-fire between the two countries.

1. On 29 May 1992, at 0800 hours, 10 suspicious elements were observed demolishing a bunker at the geographic coordinates of ND 479160 on the map of Kharatha north of border pillar 57/7.

2. On 29 May 1992, at 0830 hours, an Iraqi helicopter landed at the geographic coordinates of PB 0268 north of the Iraqi village of Tean and the Mohammad Ghaem sentry post in no man's land. After half an hour it took off and patrolled over Zorabatieh, Varmharaz and Badreh until 1000 hours.

3. On 30 May 1992, at 1230 hours, an Iraqi Ifa vehicle carrying two Iraqi forces stopped at the geographic coordinates of QA 701215 on the map of Chazabeh around border pillar 16 in no man's land and left the area after a while.

4. On 30 May 1992, at 1800 hours, four Iraqi forces aboard an Ifa vehicle were observed planting mines at the geographic coordinates of PB 0467 on the map of Mehran north of Tean village.

5. On 30 May 1992, 28 Iraqi vehicles were observed trafficking at the geographic coordinates of NE 9851 and NE 9653 on the map of Marivan north of border pillars 95 and 94/6 in no man's land.

6. On 31 May 1992, 128 Iraqi vehicles were observed trafficking at the geographic coordinates of NE 9851 and NE 9653 on the map of Marivan north of border pillars 95 and 94/6 in no man's land.

7. On 31 May 1992, 10 Iraqi forces disembarked from an Ifa vehicle at the geographic coordinates of QA 701215 on the map of Chazabeh south of border pillar 16 in no man's land.

8. On 1 June 1992, 31 Iraqi vehicles were observed at the geographic coordinates of NE 9851 and NE 9653 on the map of Marivan, north of border pillars 94/6 and 95 in no man's land.

9. On 2 June 1992, two Iraqi forces who crossed the no man's land south of border pillar 22 and were approaching the Fakkeh sentry post, fled the area when confronted with the timely reaction of Iranian forces.

10. On 3 June 1992, at 2230 hours, Iraqi forces fired seven illuminating shells at the geographic coordinates of ND 41-08 on the map of Khosravi, around border pillar 54. At the same time, the noise of small-calibre gunshots was heard for 20 minutes in Amraveh village at the geographic coordinates of ND 380-090 on the map of Khosravi.

11. On 3 June 1992, at 0800 hours and 0830 hours, 20 and 70 Iraqi forces respectively were observed conducting training exercises at the geographic coordinates of ND 4011 on the map of Khosravi, around border pillars 55/2 and 56 in no man's land.

12. On 5 June 1992, at 0900 hours, 15 Iraqi forces were observed constructing a bunker at the geographic coordinates of QA 017940 on the map of Meimeh south of border pillar 24/2 in no man's land.

13. On 6 June 1992, Iraqi forces deployed a machine-gun over the tower of the Chalaie sentry post at the geographic coordinates of NC 431655 on the map of Naftshahr, west of the border river of Kaneh Kabud.

14. On 6 June 1992, 30 Iraqi forces were observed constructing a bunker at the geographic coordinates of ND 399109 and ND 389112 on the map of Khosravi around border pillars 55/4 and 56.

15. On 6 June 1992, 60 Iraqi forces, fully equipped, were deployed at the geographic coordinates of ND 422031 and ND 422049 on the map of Khosravi south of border pillar 53/2 in no man's land.

16. On 7 June 1992, 33 Iraqi vehicles were observed trafficking at the geographic coordinates of NE 9653 and NE 9851 on the map of Marivan north of border pillars 94/6 and 95 in no man's land.

17. On 7 June 1992, at 0850 hours, four Iraqi forces clothed in green outfits inspected the positions and observation posts at the geographic coordinates of NC 432655 on the map of Naftshahr in no man's land.

18. On 7 June 1992, six Iraqi forces installed a row of barbed wire at the geographic coordinates of NC 432-655 on the map of Naftshahr in no man's land.

19. On 7 June 1992, at 1400 hours, two Iraqi forces clothed in green outfits were observed inspecting and conducting reconnaissance at the geographic coordinates of NC 591381 on the map of Sumar south-east of border pillar 40/5 in no man's land.

20. On 7 June 1992, at 1410 hours, an Iraqi Ifa vehicle carrying Iraqi forces moved from the geographic coordinates of NC 432655 on the map of Naftshahr in no man's land towards the Bazarieh sentry post and six Iraqi forces were disembarked at a position overlooking Iranian forces at the geographic coordinates of NC 416-639 on the map of Naftshahr in no man's land.

21. On 9 June 1992, 33 Iraqi civilian vehicles were observed trafficking at the geographic coordinates of NE 9851 and NE 9653 on the map of Marivan north of border pillars 94/6 and 95 in no man's land.

22. On 9 June 1992, four Iraqi forces clothed in green outfits were observed conducting reconnaissance at the geographic coordinates of NC 431655 on the map of Naftshahr around the Chalaie sentry post in no man's land.

23. On 9 June 1992, five Iraqi forces aboard a white jeep were observed inspecting the area at the geographic coordinates of PB 042679 and PB 098724 on the map of Mehran in no man's land.

24. On 9 June 1992, Iraqi forces aboard a command jeep visited the Doraji sentry post for 20 minutes at the geographic coordinates of PB 0769 on the map of Mehran in no man's land.

25. On 6 June 1992, nine Iraqi soldiers were observed digging a trench at the geographic coordinates of ND 428037 on the map of Khosravi south of border pillar 53/2 in no man's land.

26. On 10 June 1992, 28 Iraqi vehicles were observed trafficking at the geographic coordinates of NE 9851 on the map of Marivan north of border pillar 94/6.

27. On 10 June 1992, at 0815 hours, two groups of 25 Iraqi soldiers joined together at the geographic coordinates of NC 425671 on the map of Naftshahr west of the Kaneh Kabud border river.

28. On 12 June 1992, at 1830 hours, three Iraqi forces conducted observation through a binocular at the geographic coordinates of NC 432655 on the map of Naftshahr in no man's land.

29. On 13 June 1992, at 1900 hours, three Iraqi forces visited and conducted reconnaissance at the geographic coordinates of NC 581381 and NC 575381 on the map of Sumar south of border pillar 40/5 in no man's land.

30. On 14 June 1992, Iraqi forces who were stationed in five bunkers at the geographic coordinates of QA 70150-21500 on the map of Chazabeh south of border pillar 16 in no man's land, conducted observation of the area through binoculars in non-military outfits.

31. On 14 June 1992, 13 Iraqi vehicles were observed trafficking at the geographic coordinates of NE 9851 and NE 9852 on the map of Marivan, north of border pillar 95 in no man's land.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) Gholamali KHOSHROO
Ambassador
Chargé d'affaires

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/24956
14 December 1992
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 14 DECEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF MOROCCO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the text of the communiqué adopted at the extraordinary meeting of Ministers for Foreign Affairs of the countries of the Arab Maghreb Union, held at Rabat from 10 to 12 December 1992.

I should be grateful if you would have this letter distributed as a document of the Security Council.

(Signed) Ahmed SNOUSSI
Ambassador
Permanent Representative

Annex

[Original: Arabic]

Communiqué adopted by the Council of Foreign Ministers of the Arab Maghreb Union following its extraordinary meeting at Rabat on 10 December 1992

Pursuant to the provisions of the final declaration adopted by the Presidential Council of the Arab Maghreb Union at its fifth regular session, held at Nouakchott from 10 to 11 November 1992, whereby the Union stated its determination to persist in efforts to identify a peaceful, just and honourable solution of the Libyan/Western crisis with a view to ending the embargo imposed on the great Jamahiriya,

The Council of Foreign Ministers of the Arab Maghreb Union held an extraordinary meeting at Rabat on 10 December 1992, in accordance with article 5 of the Council's rules of procedure and at the request of the great Socialist People's Libyan Arab Jamahiriya.

The Council discussed the evolution of issues at the Maghreb and international levels, together with recent developments in the Libyan/Western crisis following the Security Council's decision to maintain the embargo and restrictions imposed on the great Jamahiriya since 15 April 1992. It also considered practical ways of implementing the decision, adopted by the Presidential Council during its fifth session at Nouakchott, to reaffirm its determination to continue efforts to identify a peaceful, just and honourable solution of the crisis, which has harmed the Libyan people and all the peoples of the Union.

In the light of the statements made by the leader of the Libyan delegation, the Council once again commended the positive initiatives of the great Jamahiriya to respond to Security Council resolution 731 (1992) and to identify ways in which the resolution might be implemented in accordance with the conventions and requirements of international law. It reiterates its condemnation of all forms of terrorism, reaffirms the solidarity of the Union with the great Jamahiriya and at the same time calls on the Security Council to reconsider its resolutions with a view to removing the embargo and other restrictions. It does so particularly in view of the fact that the Libyan Jamahiriya has constantly adopted initiatives and reaffirmed its willingness to cooperate with the international organ's resolutions for the purpose of solving this crisis with certain parties on the basis of dialogue, of the principles of international legitimacy and of international conventions and laws.

The Council reviewed the endeavours of the Ministerial Committee of Seven formed within the framework of the League of Arab States under resolution 5163 of 22 February 1992, with the nations of the Union as its members, whose task

is to identify a solution of the crisis. It reaffirmed its enduring eagerness to contribute to the success of the Committee's efforts for the sake of Arab solidarity and the shared destiny of the single Arab nation.

The Council of Foreign Ministers also reaffirmed its determination to persist in prosecuting the necessary efforts and endeavours to overcome obstacles to the identification of a peaceful and just solution of this crisis on a basis of dialogue and mutual understanding. Such a solution must ensure that legitimacy and international law prevail and that the embargo imposed on the great Jamahariya is lifted. It must also spare the region from the dangers of escalation in order that the countries and peoples of the Arab Maghreb Union may devote their efforts to development and share in the strengthening of international peace and security.

In accordance with the provisions of the final declaration adopted by the Presidential Council at its fifth regular session, and in conformity with the provisions of the Charter of the United Nations, the Council instructed the Permanent Representatives to the United Nations in New York of States members of the Union to prepare a note, in cooperation with the Secretary-General of the Union, for submission to the Security Council through the Maghreb member of that organ. The purpose of the note would be to draw attention to the difficulties and harm caused to the nations of the Union as a result of the continued imposition of sanctions against the great Jamahiriya.

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S/24957
14 December 1992

ORIGINAL: ENGLISH

NOTE VERBALE DATED 9 DECEMBER 1992 FROM THE PERMANENT MISSION OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Ethiopia to the United Nations presents its compliments to the Secretary-General and, with reference to his note dated 26 October 1992, has the honour to inform him that, under the jurisdiction of the Transitional Government of Ethiopia, there are no petroleum or petroleum products, or funds of the Government of Iraq, of its State bodies, corporations or agencies, that represent the proceeds of the sale of Iraqi petroleum or petroleum products subject to the provisions of Security Council resolution 778 (1992).

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UNITED
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Security Council

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S/24958
14 December 1992
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NOTE VERBALE DATED 10 DECEMBER 1992 FROM THE PERMANENT MISSION OF SPAIN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Spain presents its compliments to the Secretary-General of the United Nations and, in connection with his note of 26 October 1992, has the honour to state that, since 6 August 1990, Spain has not authorized any payment to Iraqi State corporations or agencies that represents the proceeds of sale of Iraqi petroleum or petroleum products.

With regard to the possible storage of petroleum or petroleum products owned by the Iraqi Government, there is no evidence of the presence of such products under Spanish jurisdiction.

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14 December 1992

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GENERAL ASSEMBLY
Forty-seventh session
Agenda item 143
THE SITUATION IN BOSNIA
AND HERZEGOVINA

SECURITY COUNCIL
Forty-seventh year

Letter dated 14 December 1992 from the Permanent Representative of Albania to the United Nations addressed to the Secretary-General

I have the honour to attach herewith the letter that the Minister for Foreign Affairs of the Republic of Albania has addressed to you (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 143, and of the Security Council.

(Signed) Thanas SHKURTI
Ambassador
Permanent Representative of
the Republic of Albania

ANNEX

Letter dated 14 December 1992 from the Minister for Foreign Affairs of Albania to the Secretary-General

Excellency,

Allow me to address myself to you again to express our thanks for the ceaseless efforts of your Organization and yours personally in aiding the Somali people in their present most difficult situation.

We have constantly followed with concern the deplorable situation in Somalia and have fully supported the action of the United Nations to offer humanitarian aid to that country and to establish there political peace. We have also appreciated the message of hope that you conveyed to the Somali people to overcome this difficult situation, as well as the commitment of the United Nations to find long-term solutions to the numerous problems preoccupying that country.

An analogous situation, with all its elements, is present in Bosnia and Herzegovina. Each passing day brings with it innocent victims. The savage killings of children there have added to the anguish of the entire international community. The continued use of violence threatens the further spread of the conflict.

Expressing once again our solidarity with the noble and peace-loving activity of the Organization headed by you, as well as appreciating your personal merit in making the international community sensitive to the situation so that they would come to the aid of Somalia, we shall welcome a more active role of the United Nations to put an end to the human tragedy in Bosnia and Herzegovina.

(Signed) Alfred SERREQI

UNITED
NATIONS

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Security Council

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GENERAL

S/24960
14 December 1992
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 14 DECEMBER 1992 FROM THE PERMANENT REPRESENTATIVES OF BELGIUM, FRANCE AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to draw to your attention the texts, in French and in English, of three declarations adopted by the European Community and its member States at the European Council held at Edinburgh on 11 and 12 December 1992: they concern former Yugoslavia, the treatment of Muslim women in former Yugoslavia and the former Yugoslav republic of Macedonia.

We should be obliged if you would have the text of this letter and its annexes circulated as a document of the Security Council.

(Signed) Paul NOTERDAEME
Permanent Representative of
Belgium to the United Nations

(Signed) Jean-Bernard MERIMEE
Permanent Representative of
France to the United Nations

(Signed) Sir David HANNAY
Permanent Representative of
the United Kingdom to the
United Nations

Annex I

[Original: French, English]

Declaration on former Yugoslavia

1. The tragedy in former Yugoslavia constitutes a serious threat to peace and stability in the region. It has created immense and unacceptable human suffering. The European Council fully supports the unstinting efforts of Lord Owen and Mr. Vance, under the international conference on the former Yugoslavia, to promote a cessation of hostilities and negotiations for a peaceful settlement. Despite these efforts, the parties have failed to implement many of the agreements reached at the London Conference. No real will for peace has been demonstrated.

2. The primary responsibility for the conflict, and its brutality, lies with the present leadership of Serbia and of the Bosnian Serbs. The principal victims of actions by all parties have been the Muslim population of Bosnia-Herzegovina. In defiance of United Nations Security Council resolutions, the Serb forces in Bosnia-Herzegovina have undertaken a savage campaign of military aggression, ethnic cleansing and the persecution and torture of civilians. The renewed attacks on Sarajevo are clearly part of a systematic campaign to seize territory and cities. Those responsible for all these crimes against humanitarian law by the different sides will be held personally accountable and brought to justice. The Serbian authorities in Belgrade bear an equal responsibility for fomenting the conflict and for failing to use their undoubted influence and resources to restrain it. The European Council calls on the Croation authorities for their part to comply with all United Nations Security Council resolutions and to cooperate in good faith with the peace process, since they too carry a share of the responsibility for attacks on the Muslim population.

3. The European Council reiterates that the international community will not accept the acquisition of territory by force. Nor will it accept the partition of Bosnia-Herzegovina. The European Council strongly supports the efforts of the co-Chairmen to arrive at a constitutional settlement based on the proposals made by Ambassador Ahtisaari and on a mutual recognition of the multi-ethnic character of Bosnia-Herzegovina. The right of existence of the different communities of Bosnia-Herzegovina should be respected and guaranteed.

4. The Serbian nation faces a clear and imminent choice. If there is a radical change of policy and genuine cooperation in the peace process, Serbia will be gradually readmitted to the international community. The European Council supports the efforts of those political forces who are trying to bring Serbia back from the brink. If, on the other hand, the Belgrade regime continues its present policies, the international community will take sterner action, including tightening and extending existing sanctions and preventing Serb participation in any international body, which will totally isolate Serbia for a long time to come. The European Community and its member States

will send observers to the forthcoming elections under the auspices of the CSCE. They will draw the appropriate conclusions if the present authorities do not follow fair and just procedures.

5. The European Council pays tribute to the courage and steadfastness of the forces in UNPROFOR and the airlift, and of the ECMM, UNHCR, ICRC and the other organizations engaged in the dangerous task of relief provision. It endorses the measures to implement the commitments at the Birmingham European Council. It calls upon all parties to allow the safe passage of humanitarian convoys. More action is needed to provide protection to the civilian population through the development of safe areas and by providing refuge in the member States for particularly vulnerable categories of refugees. The Community and its member States will continue to respond generously to the urgent humanitarian requirements. The European Council reaffirms its support for United Nations Security Council resolution 787, which provides for the necessary measures, including military, to be taken to ensure the safe delivery of humanitarian assistance.

6. The European Council fully supports the action taken in the Adriatic by WEU and NATO to enforce United Nations sanctions and the arms embargo. The Community and its member States will take further steps to assist in tightening sanctions on the Danube and urge the riparian States to play their full part. The European Council calls for the rapid despatch of observers to the border between Serbia and Bosnia-Herzegovina. In view of the many violations of United Nations Security Council resolution 786, the European Council believes the United Nations Security Council should examine the situation in the light of operative paragraph 6 of that resolution.

7. The autonomy of Kosovo within Serbia must be restored. The Serbian authorities must exercise restraint and the human rights of the inhabitants of Kosovo must be respected. The European Council is in favour of a United Nations presence in Kosovo. The European Council also reiterates its call upon the Albanian Government to continue to show the necessary restraint.

8. The European Council welcomes the decision by the co-Chairman to hold a meeting at ministerial level of the steering committee of the international conference on 16 December. The meeting should discuss the series of measures necessary in support of the co-Chairmen to intensify pressure on the parties to end the bloodshed and to negotiate seriously on a Bosnian constitution.

9. The European Council, which brings together the Heads of State or Government of countries which are profoundly peace-loving, will continue to give priority to political means in order to resolve the crisis in Yugoslavia. But, given the gravity of this tragic situation, it has no choice but to promote and participate in further initiatives which the international community may be obliged to undertake.

Annex II

[Original: French, English]

Declaration on the treatment of Muslim women in former Yugoslavia

1. The European Council is appalled by the systematic detention and rape of Muslim women. It strongly condemns these acts of unspeakable brutality, which form part of a deliberate strategy to terrorize the Muslim community in Bosnia-Herzegovina, in order to achieve the purpose of ethnic cleansing. Those responsible for these crimes against humanity will be held personally accountable and brought to justice.

2. The European Council demands that all detention camps and in particular camps for women should be immediately closed. Free and secure access must be given to humanitarian organizations so that all those detained in the camps can be assisted.

3. The Community and its member States will consider favourably what further help could be given to the victims.

4. The European Council has decided on the rapid despatch of a delegation of all member States, headed by Dame Anne Warburton, to investigate in all areas on behalf of the Community and its member States the facts received until now and to report urgently to the Foreign Ministers. This delegation must be allowed free and secure access to the places of detention in question. The European Council calls upon the United Nations to adopt measures to support this mission.

Annex III

[Original: French, English]

Declaration on the former Yugoslav republic of Macedonia

1. The European Council examined its policy on recognition of the former Yugoslav republic of Macedonia in the context of the Lisbon Declaration and in the light of the report by the Presidency's Special Representative. It invites Foreign Ministers to remain seized of this question.

2. The European Council welcomes United Nations Security Council resolution 795 authorizing the United Nations Secretary-General to establish an UNPROFOR presence in the republic.

3. The European Council recalls its Declaration at Birmingham on the need to prevent this republic from bearing the unintended consequences of United Nations sanctions. In this context the European Council underlines the importance of providing access to funding from the international financial institutions and of the regular and properly monitored supply of oil.

4. The European Council agrees that in addition the Community should make available to the former Yugoslav republic of Macedonia a substantial package of economic assistance. It welcomed the intention of the Commission to earmark 50 million European currency units of humanitarian and technical assistance to the former Yugoslav republic of Macedonia. Member States also agree to provide a matching amount from their own resources.

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S/24961
14 December 1992

ORIGINAL: ENGLISH

LETTER DATED 9 DECEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to enclose herewith a letter addressed to you, from the Secretary of the People's Committee for Foreign Liaison and International Cooperation. I would be grateful if this letter be distributed as a document of the Security Council.

(Signed) Ali Ahmed ELHOUDEIRI
Ambassador
Permanent Representative

Annex

Letter dated 8 December 1992 from the General Secretary of the People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya addressed to the Secretary-General

[Original: Arabic]

I have the pleasure to convey to you sincere greetings and the greatest appreciation for the outstanding efforts you are making to seek a peaceful solution to the ongoing crisis between my country and the United Kingdom, France and the United States of America.

I take the occasion of assuming my functions as Secretary of the General People's Committee of the People's Bureau for Foreign Liaison and International Cooperation to express to you my full readiness to cooperate with you and with the Security Council with a view to reaching a peaceful solution to the ongoing crisis between my country and the three countries concerned.

As you are aware, the Jamahiriya has on several occasions proclaimed its condemnation of international terrorism in all its forms and has affirmed its acceptance of and readiness for full and constructive cooperation for the implementation of the provisions of Security Council resolution 731 (1992).

In this connection, my country has undertaken the following:

1. It has severed its relations with all groups and organizations suspected of involvement in acts of terrorism.

2. It does not permit its territory, its nationals or its institutions to be used for the commission, directly or indirectly, of acts of terrorism, and it is prepared to impose the severest penalties on anyone proved to have been involved in such acts.

3. It has declared that there are not in its territory any camps for the training of terrorists, and it has invited the Security Council or any international body it may appoint to verify that fact on the spot.

4. It has cooperated constructively with the Government of the United Kingdom, as attested by British officials themselves, with a view to tracing those elements and organizations accused by the United Kingdom of involvement in terrorist acts.

5. It has maintained contacts and facilitated direct and intensive talks between the judicial authorities of the French Republic and of the Jamahiriya with a view to determining responsibility in the case of the bombing of the French UTA flight 772.

The French and Libyan investigating magistrates have met each other on a number of occasions, and the French examining magistrate has examined the records of the investigation conducted by the Libyan magistrate entrusted with the case. It has been agreed that the French magistrate should come to the Jamahiriya to complete his investigations and, despite the obstacle that has prevented that, contacts between my country and the French authorities continue to be maintained for the purpose of making renewed arrangements for the French magistrate to come to Libya.

My country has also cooperated with the French authorities in respect of their other requests as set forth in document S/23306, submitted to the Secretary-General on 30 December 1991.

Having undertaken all of the foregoing, my country believes that there remains only the matter of the legal prosecution of the two Libyans suspected of being connected with the case of United States Pan Am flight 103, which crashed over Locherbie, Scotland, in 1988.

As you know, and as is the legal norm in all countries of the world, the laws of my country prohibit the extradition of its subjects to other countries. Moreover, the 1971 Montreal Convention lays down the procedures relating to jurisdiction in such cases and, immediately its two citizens were charged, my country appointed an investigating magistrate and expressed its full readiness to cooperate with the judicial authorities in the countries concerned with a view to elucidating the truth. Its action did not, regrettably, meet with a positive response from the parties concerned.

Accordingly, the People's Bureau for Foreign Liaison and International Cooperation presented the issue to the Basic People's Congresses (the legislative authority), and they adopted a resolution to the effect that they had no objection to the two suspects being brought before a just and fair tribunal to be agreed upon. That resolution was communicated to you at the time.

On the basis of the resolution adopted by the Basic People's Congresses, my country declared that, while it had no objection to the two suspects appearing of their own accord before United States or British courts, it was prepared to enter into negotiations with the countries in question, under the auspices of the Secretary-General of the United Nations, on the trial being held in a neutral country to which the parties to the dispute had no objection and in which there was every guarantee of arriving at the truth, which we deem to have been the goal sought by Security Council resolution 731 (1992).

Our proposal that the trial should be held in a neutral country had been prompted by the desire that there should be every legal and psychological guarantee of reaching the truth as soon as possible. If the parties concerned are confident of the probative value of their evidence, it is meaningless to insist that the trial should be held in their territory without any support in law or in international covenants.

The focus should now be on the site of the trial and not on the principle of prosecution, which we not only support but insist upon.

On the basis of the foregoing, it must be obvious to you that Libya has earnestly and effectively implemented Security Council resolution 731 (1992). In requesting you to present the tenor of this letter to the Security Council, it hopes that you will exercise your good offices with a view to seeking a positive response to this initiative from the parties concerned so that a solution is reached that will ensure that the truth is brought to light and the file on this case is closed. There is henceforth no justification for its continuance except if the countries in question are seeking to invoke this issue in order to achieve other objectives.

I am sure you agree with me that what my country has done in terms of its compliance with all the requirements of Security Council resolution 731 (1992) and the practical proposals that we have presented to you in this letter will remove any justification for the continued implementation of Security Council resolution 748 (1992). The latter resolution has inflicted on the Libyan people grave damage and a great ordeal, and I transmit to you herewith a detailed dossier thereon with the request that you present it to the Security Council. I request you to use your best endeavours to have resolution 748 (1992) rescinded, given that the reasons for its maintenance no longer obtain.

(Signed) Omar Mustafa AL-MUNTASIR
Secretary of the General People's Committee
for Foreign Liaison
and International Cooperation

UNITED
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Security Council

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S/24961*
16 December 1992

ORIGINAL: ENGLISH

LETTER DATED 9 DECEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

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(Signed) Ali Ahmed ELHOUDEIRI
Ambassador
Permanent Representative

* Reissued for technical reasons.

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Annex

Letter dated 8 December 1992 from the Secretary of the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya addressed to the Secretary-General

[Original: Arabic]

I have the pleasure to convey to you sincere greetings and the greatest appreciation for the outstanding efforts you are making to seek a peaceful solution to the ongoing crisis between my country and the United Kingdom, France and the United States of America.

I take the occasion of assuming my functions as Secretary of the General People's Committee of the People's Bureau for Foreign Liaison and International Cooperation to express to you my full readiness to cooperate with you and with the Security Council with a view to reaching a peaceful solution to the ongoing crisis between my country and the three countries concerned.

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In this connection, my country has undertaken the following:

1. It has severed its relations with all groups and organizations suspected of involvement in acts of terrorism.

2. It does not permit its territory, its nationals or its institutions to be used for the commission, directly or indirectly, of acts of terrorism, and it is prepared to impose the severest penalties on anyone proved to have been involved in such acts.

3. It has declared that there are not in its territory any camps for the training of terrorists, and it has invited the Security Council or any international body it may appoint to verify that fact on the spot.

4. It has cooperated constructively with the Government of the United Kingdom, as attested by British officials themselves, with a view to tracing those elements and organizations accused by the United Kingdom of involvement in terrorist acts.

5. It has maintained contacts and facilitated direct and intensive talks between the judicial authorities of the French Republic and of the Jamahiriya with a view to determining responsibility in the case of the bombing of the French UTA flight 772.

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My country has also cooperated with the French authorities in respect of their other requests as set forth in document S/23306, submitted to the Secretary-General on 30 December 1991.

Having undertaken all of the foregoing, my country believes that there remains only the matter of the legal prosecution of the two Libyans suspected of being connected with the case of United States Pan Am flight 103, which crashed over Locherbie, Scotland, in 1988.

As you know, and as is the legal norm in all countries of the world, the laws of my country prohibit the extradition of its subjects to other countries. Moreover, the 1971 Montreal Convention lays down the procedures relating to jurisdiction in such cases and, immediately its two citizens were charged, my country appointed an investigating magistrate and expressed its full readiness to cooperate with the judicial authorities in the countries concerned with a view to elucidating the truth. Its action did not, regrettably, meet with a positive response from the parties concerned.

Accordingly, the People's Bureau for Foreign Liaison and International Cooperation presented the issue to the Basic People's Congresses (the legislative authority), and they adopted a resolution to the effect that they had no objection to the two suspects being brought before a just and fair tribunal to be agreed upon. That resolution was communicated to you at the time.

On the basis of the resolution adopted by the Basic People's Congresses, my country declared that, while it had no objection to the two suspects appearing of their own accord before United States or British courts, it was prepared to enter into negotiations with the countries in question, under the auspices of the Secretary-General of the United Nations, on the trial being held in a neutral country to which the parties to the dispute had no objection and in which there was every guarantee of arriving at the truth, which we deem to have been the goal sought by Security Council resolution 731 (1992).

Our proposal that the trial should be held in a neutral country had been prompted by the desire that there should be every legal and psychological guarantee of reaching the truth as soon as possible. If the parties concerned are confident of the probative value of their evidence, it is meaningless to insist that the trial should be held in their territory without any support in law or in international covenants.

The focus should now be on the site of the trial and not on the principle of prosecution, which we not only support but insist upon.

On the basis of the foregoing, it must be obvious to you that Libya has earnestly and effectively implemented Security Council resolution 731 (1992). In requesting you to present the tenor of this letter to the Security Council, it hopes that you will exercise your good offices with a view to seeking a positive response to this initiative from the parties concerned so that a solution is reached that will ensure that the truth is brought to light and the file on this case is closed. There is henceforth no justification for its continuance except if the countries in question are seeking to invoke this issue in order to achieve other objectives.

I am sure you agree with me that what my country has done in terms of its compliance with all the requirements of Security Council resolution 731 (1992) and the practical proposals that we have presented to you in this letter will remove any justification for the continued implementation of Security Council resolution 748 (1992). The latter resolution has inflicted on the Libyan people grave damage and a great ordeal, and I transmit to you herewith a detailed dossier thereon with the request that you present it to the Security Council. I request you to use your best endeavours to have resolution 748 (1992) rescinded, given that the reasons for its maintenance no longer obtain.

(Signed) Omar Mustafa AL-MUNTASIR
Secretary of the General People's Committee
for Foreign Liaison
and International Cooperation

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S/24961/Add.1
18 December 1992
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LETTER DATED 9 DECEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Addendum

IMPACT OF THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 748 (1992) DURING THE PERIOD FROM 15 APRIL TO 15 NOVEMBER 1992

Since it was first imposed on 15 April 1992, the implementation of Security Council resolution 748 (1992) has caused injury to the Libyan Arab people in various humanitarian and economic aspects of life, as follows:

Humanitarian impact

As a result of the implementation of the aerial embargo on the Jamahiriya, its citizens and various categories of aliens resident and working there have been exposed to a number of negative and highly dangerous humanitarian effects and repercussions, of which we give examples below.

It has been impossible to send abroad approximately 5,445 critically ill patients, who cannot be treated locally and require direct transport abroad by air. We mention in particular the urgent cases who would formerly have been transported by air ambulances or other passenger aircraft, such as cardiac patients, complex embolism patients, kidney transplant cases, separation of the retina cases, patients requiring brain surgery, neurosurgery or spinal transplants and various burn and cancer cases. One hundred and fifty of these seriously ill patients have died while being transported by land to the airports of neighbouring States, owing to the severity of their condition and the length of the journey.

The halt in air travel has delayed the arrival of the bodies of Libyan citizens who died abroad and also the transportation to their countries of the bodies of aliens who died in the Jamahiriya. The number of aliens who died in the Tripoli municipality alone during this period was 118. In addition, there

were the humanitarian and health problems involved in the transportation of these bodies through a number of ports.

The condition of many allergy patients has also deteriorated because of the delay in the arrival of certain drugs normally imported by special fast order and some of the necessary operating equipment and because of the suspension of maintenance services for medical and electromechanical apparatus as a result of the non-arrival of spare parts by air. This has resulted in the death of 150 nursing infants and 45 Libyan women in childbirth in the hospitals of the Jamahiriya.

It has been impossible for many medical and paramedical personnel to accept work in the Jamahiriya because of the difficulties facing them. Some 1,703 medical and paramedical personnel contracted to work in the various health facilities were unable to come. In addition, more than 100 medical and paramedical personnel present their resignations each month, so that the number of those who had resigned in each municipality up to mid-November totalled more than 700, which caused disruptions in the provision of health services in the various facilities.

The aerial embargo has caused a delay in the arrival of consignments of medical supplies and difficulties in obtaining their release because information and documents for the consignments did not arrive on time. There has also been difficulty and confusion in the delivery and storage of all vaccines, sera, blood derivatives, hormones, laboratory agents for AIDS and irradiated iodine. These are exposed to spoilage as a result of aerial conditions and handling aboard ship and in ports, which has actually caused a modification of infantile paralysis vaccine owing to its delivery by this method. In addition, there is the difficulty and lack of control over the transport of deliveries of anaesthetics by sea, inasmuch as a large part of the consignments shipped by the Janssem company were lost.

Orders to replace exhausted medical supplies such as drugs, apparatus, and essentials have been delayed, including 156 orders relating to sera, vaccines, laboratory reagents and operational materials, this has affected the level of the provision of medical services.

The programme of visits by medical professors, specialists and lecturers, invited from various universities and colleges in Austria, Yugoslavia, Germany, Switzerland, France, Italy, Poland and Bulgaria, has been obstructed, and approximately 130 professors and specialists in various medical fields have been unable to come to the Jamahiriya to treat ill and critically ill patients, perform delicate surgical operations, participate in university examinations and take part in scientific conferences, medical symposiums and other meetings held in the Jamahiriya.

The joint programme agreed on with the World Health Organization (WHO) has been held up, since most of the visits of experts and work teams assigned by WHO were cancelled or postponed. This constitutes an obstacle to the development of the health sector, impedes basic health care programmes,

endangers health cooperation and prevents the attainment of WHO's objectives of implementing a health strategy for all by the year 2000.

As a result of the aerial embargo, road traffic to ports and neighbouring countries has increased, leading to an increase in traffic accidents. Traffic accidents increased from 2,401 in 1991 to 4,318 in 1992, for the same period. The number of deaths increased from 389 to 691, an increase of approximately 100 per cent.

The aerial embargo has made it difficult for Libyan delegations to participate in a number of international and regional conferences, as well as scientific symposiums and seminars.

A number of Libyan citizens have been unable to perform religious rites, such as the Hajj and the Umrah, because they were unable to find means of transport to the holy places that were appropriate to the health and disposition of each pilgrim, as well as comfortable.

Economic impact

As a result of the imposition of the embargo on the Jamahiriya, the national economy has been exposed to considerable damage, and economic activities have also felt the impact of the embargo, inasmuch as the accessible direct loss may be estimated at approximately $2.2 billion. We give some examples below:

Food

The loss in agricultural and livestock production from the date of the imposition of the embargo to 15 November 1992 was approximately $1,474 million. That was due to the halt in air deliveries of veterinary drugs and vaccines from certain European countries, such as France, Switzerland, Germany and the United Kingdom, and it resulted in the non-implementation of the programme for the protection of livestock from epidemic and communicable diseases and a proportionate increase in deaths among non-vaccinated newborn animals.

Air shipments to the Jamahiriya were halted, and other means of transport were employed for delivery of incubator chicks and eggs. This led to a decline in incubation rates and a rise in death and breakage rate and, consequently, to a decline in the amounts of poultry and poultry products on the markets.

The aerial embargo also affected the flow of certain basic and essential consumer goods, in particular dairy products, such as milk and infant formula. The meat supply was also affected. There was a delay in the arrival of certain items essential for agricultural production.

Exports and industrial production

The programme for non-oil Libyan exports, particularly those goods that used to be exported by air, such as vegetables, fruits and fish, has seen a decline of 44 per cent below the target figure or an estimated $234 million, as a result of the need to export them by land or by sea to an alternate shipping point. This is in addition to the necessity of exporting to markets that will realize a lower return for these exports.

The value of credits opened for the delivery by air of the various foodstuffs, operational requirements, drugs and the equipment needed for the various economic activities totalled $500 million, but some of these essential goods, in particular drugs, did not arrive on time.

The production process in many factories has been affected as a result of the restrictions imposed on the import of chemicals and certain cleansing materials required by the factories. The spare parts necessary for the factories have also been delayed, as has the arrival of maintenance and assembly technicians and experts, and this has delayed the production process.

Transport and communications

As a result of the halting of external air transport, Libyan Arab Airlines has lost direct revenues as a result of a decline in sales amounting to approximately $254 million. Moreover, the operating rate of the company's aircraft has declined by 70 per cent from the figure prior to 15 April 1992.

The security and safety of internal air transport has been endangered as a result of the unavailability of spare parts, the impossibility of carrying out required periodic maintenance on time and the decrease in stocks of spare parts in company stores, which have also caused an increase in the number of aircraft out of daily operation, affecting 50 per cent of the total fleet.

The company is incurring financial costs amounting to $80 million for the payment of employees' salaries and wages, rental of offices at home and abroad and settlement of outstanding benefits without earning the planned economic return.

The cessation of external activity by the Libyan Arab Air Freight Company has caused the loss of large sums which would have been earned under expected contracts, as well as a loss of earnings from contracts already concluded amounting to $6 million.

The company is bearing the costs of salaries and wages amounting to $9.5 million, as well as the expense of maintaining its aircraft ($10 million), without earning the planned economic return.

The Light Air Transport and Technical Services Company has lost income estimated at some $1.25 million as a result of failure to obtain the spare parts required for programmed maintenance and operation of its aircraft.

The General Board for Civil Aviation and Meteorology has incurred costs of $8 million representing payment of wages and salaries to workers without earning the planned return. It also incurred an annual loss of over $3 million as a result of the halt in air traffic.

The Socialist Airports Company has incurred costs of $4 million in wages and salaries for workers without earning the planned economic return. It has also lost income from parking and take-off fees and other services, amounting to $5 million, as a result of the halt in international air traffic through the airports of the Jamahiriya.

Freight traffic at ports has been affected by the provision of daily passenger transport services from those ports. This has had an adverse effect on the services provided to freight vessels, in the form of delays which generate additional charges. Thus, the rates of depreciation for ships and other equipment have risen to between 20 and 25 per cent above normal.

It has been necessary to hire or purchase boats to overcome the problem of transporting passengers from and to the Jamahiriya, at a cost of $14 million, with no prospect of economic return.

The increased use of private and public cars and lorries on land routes has resulted in a greater incidence of damage to roads. This in turn has led to additional expenditure on maintenance amounting to over $15 million, as well as spending to compensate for increased wear and tear and maintenance for all means of transport and increased fuel consumption, which it has not yet been possible to quantify.

The annual receipts of the General Company for Posts and Cables and Wireless Communications have fallen by about $8 million from their level before the embargo as a result of the non-arrival of spare parts and lack of necessary maintenance. The company has also sustained additional financial burdens in the amount of $314,000 as a result of the routing of mail through intermediate points.

The increased delay, ranging between 48 and 72 hours, in the receipt of incoming mail and the forwarding of outgoing mail has further affected the activities of the oil, banking and information (receipt and distribution of foreign newspapers) sectors. The disruption of communications has had a direct effect on the provision of essential humanitarian services, such as hospital, first aid and civil defence services.

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14 December 1992

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NOTE VERBALE DATED 7 DECEMBER 1992 FROM THE PERMANENT MISSION OF NORWAY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of Norway to the United Nations presents its compliments to the Secretary-General and, with reference to his note dated 26 October 1992, has the honour to inform him that no Iraqi government assets such as those covered by paragraphs 1 and 2 of Security Council resolution 778 (1992) are currently held in Norway.

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LETTER DATED 14 DECEMBER 1992 FROM THE CHARGE D'AFFAIRES A.I.
OF THE PERMANENT MISSION OF BULGARIA TO THE UNITED NATIONS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Upon instructions from my Government, I have the honour to transmit herewith the annexed Memorandum of the Bulgarian Government regarding losses, damages and economic difficulties sustained by the Republic of Bulgaria as a result of the implementation of the sanctions imposed by Security Council resolution 757 (1992) of 30 May 1992.

I would be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Jordan LOZANOV
Deputy Permanent Representative of
Bulgaria to the United Nations

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Annex

Memorandum dated 10 December 1992 of the Bulgarian Government regarding losses, damages and economic difficulties sustained by the Republic of Bulgaria as a result of the implementation of the sanctions imposed by Security Council resolution 757 (1992) of 30 May 1992

The report submitted to the Secretary-General of the United Nations regarding measures undertaken by the Bulgarian Government in pursuance of Security Council resolution 757 (1992) concerning the sanctions against Serbia and Montenegro (document S/24168 of 26 June 1992), notes with deep concern that these measures will lead to considerable economic and financial losses and damages to Bulgaria and to legal entities and physical persons having business relations with partners from the above-mentioned countries.

For the past seven months since the enforcement of the sanctions, their negative impact on Bulgaria has entirely confirmed these pessimistic expectations.

As a result of the implementation of the sanctions against Serbia and Montenegro, and owing to its geographical position and traditionally good and intensive trade relations with the countries subject to the sanctions of the United Nations, Bulgaria is one of the worst-affected countries in the region. It has been virtually cut off and isolated from its partners in Central and Western Europe owing to disrupted transportation links.

By the end of the year the direct and indirect losses to the Bulgarian economy incurred since the enforcement of the sanctions will exceed US$ 1.2 billion. The negative impact of the sanctions has affected most of all such important economic sectors as:

- Industry, where as a result of disrupted production links, cancelled shipments of commodities and raw materials, and unsold goods, the estimated losses amount to US$ 690 million;

- Trade, where owing to cancelled contracts, unsold export goods, cancelled barter deals, suspended exports and imports under current contracts, and failure to meet previous obligations, Bulgarian State and private legal entities have suffered losses in the amount of US$ 355 million;

- Transport, where due to cancellation and detour of Bulgarian airlines flights, disruption of the transportation of cargoes and passengers and of the trade activities of the Bulgarian State Railways, difficulties in navigation along the Danube, as well as in automobile transport and shipping to and from the rest of Europe, direct losses amount to US$ 70 million;

- Energy, where disrupted links between the energy systems of Bulgaria and the Republic of Serbia have resulted in losses to the Bulgarian National Electric Company, amounting to US$ 22 million;

- Tourism, where the flow of tourists has considerably decreased and the direct losses incurred and damages paid by State tourist companies alone due to cancelled contracts and orders exceed US$ 5 million;

- Construction, where the adverse effect of the sanctions amounts to US$ 5 million.

These summarized data do not include damages and losses of profit resulting from cancellation of financial operations and transactions, difficulties in the telecommunication links of Bulgaria which, for their greater part, cross the territory of former Yugoslavia, or the ever-increasing indirect expenses arising from the strict implementation of the sanctions.

At this stage it is not possible to estimate the additional losses which Bulgaria will suffer from the restrictions imposed by Security Council resolution 787 (1992), regarding the transshipment of critical goods across Serbia and Montenegro and along the Danube. The only railway line connecting Bulgaria to the Republic of Macedonia crosses the territory of Serbia, while the importance of the Danube in terms of transport is invaluable. The fact that the longer the sanctions are applied, the greater the incurred losses, should not be overlooked, either.

Along with the specific economic problems ensuing from the sanctions, the Bulgarian people have to pay a very high social price for the decline in production, the closing down of a number of enterprises and jobs, difficulties in the supply of goods, the increase of inflation and unemployment rates.

The negative economic and social consequences of the sanctions have had a further aggravating effect on the Bulgarian economy, which is currently undergoing a grave crisis.

Against the background of the enormous difficulties accompanying the transition from a totalitarian political and economic system to democracy and market economy, the aggravation of the economic crisis poses a threat to the process of democratic change in the country.

It should be noted that the implementation of the Security Council sanctions against Iraq and the Libyan Arab Jamahiriya has caused losses to the Bulgarian economy amounting to US$ 2 billion, for which our country has not received any compensation so far.

Nevertheless, the Republic of Bulgaria supports and strictly observes the embargo on Serbia and Montenegro, which is causing the country further enormous losses and difficulties.

The overall effect of all losses and damages incurred makes it absolutely necessary for Bulgaria to receive financial and technical assistance from the international community and the industrialized countries, which would compensate at least partially the considerable losses and will enable it to carry forward the effective implementation of sanctions.

Therefore, the Republic of Bulgaria would like to exercise its right, under Article 50 of the Charter of the United Nations, to hold consultations with the Security Council with regard to taking urgent measures for overcoming the specific economic difficulties arising from the carrying out of the sanctions against Serbia and Montenegro imposed by resolutions 713 (1991), 757 (1992) and 787 (1992).

It is clear from the so far limited practice of application of mandatory measures undertaken by the Security Council that the provisions of Article 49 of the Charter should also be taken into consideration. According to these provisions and the general interpretation of the principle of international law of cooperation between States in maintaining international peace and security, the States Members of the United Nations should mutually assist each other in the implementation of the Security Council sanctions in a way which will make it possible for the expenses incurred by these measures to be justly allocated in accordance with their respective economic resources.

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LETTER DATED 14 DECEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the letter dated 10 December 1992 from Mr. Pierce S. Corden, Deputy Executive Chairman of the Special Commission, addressed to you. Mr Corden's letter contains a number of remarks and items of information some of which are inaccurate and others untrue. In clarification, I should like to communicate to you hereunder the true facts and realities.

1. On 8 December 1992, Mr. Johan Santesson, Chief Inspector with the UNSCOM 47 inspection team, asked to meet with Lieutenant-General Amer Muhammad Rashid, Director of the Military Industrial Corporation. In the course of the interview, Mr. Santesson stated that he had sought the meeting in order to convey to General Amer the Special Commission's wish that the Iraqi side should furnish it with "independent" evidence to refute the charges reaching the Commission relating to Iraq's weapons programmes. In reply, General Amer stated that the Special Commission's request was most vague and imprecise and that it would place the Iraqi side under constant indictment while the Commission would not present evidence to substantiate any charges but would require the Iraqi side to produce evidence of its innocence. General Amer stated to Mr. Santesson that such a request made in such a form had no sound and practical basis and was, moreover, contrary to legal and ethical norms. Accusations continued to be brought against Iraq in a manner that required no evidence or grounds and inspection activities continued on the basis of charges that had no foundation with the objective of perpetuating the climate of suspicion being used to prolong the blanket embargo that had been imposed on Iraq together with all the tribulations it was bringing down upon the Iraqi people.

Before his meeting with General Amer, Mr. Santesson had made statements to representatives of the world press in Baghdad in which he had expressed unwarranted contempt for the Iraqi technical personnel that had conducted the technical discussions with the UNSCOM 47 inspection team. This is not the first time members of the Special Commission's inspection teams have behaved

in a coarse and unacceptable manner that is out of place in relation to the technical tasks entrusted to them.

2. The Iraqi side has been surprised by the inaccuracy of many of the matters reported concerning General Amer's meeting with Mr. Santesson, and we consider it our duty to apprise you and the members of the Security Council of the facts concerning what it was the General said to Mr. Santesson in the course of his meeting with him.

(a) General Amer affirmed that the Iraqi side was candid and frank in its dealings with the Special Commission with regard to the implementation of Security Council resolution 687 (1991) and that this was so despite the fact that we have been noting for some time that there is a malevolent political game in progress behind which are certain influential parties in the Security Council aiming to prolong the duration of inspections in order to maintain the embargo imposed on Iraq. General Amer then reaffirmed that, for the implementation of Security Council resolution 687 (1991), Iraq was always ready to cooperate in resolving any lack of clarity in any of the technical aspects relating to the resolution in question.

(b) General Amer said that it had emerged from the discussions held by the most recent inspection team that most of the questions raised by the team were recurring questions that had already been answered. It was evident that the inspection team was reiterating requests for old information that the Iraqi side had already provided, and that it was as if inspection had begun again from zero. General Amer pointed out that this procedure was bewildering and useless and that it could be exploited by the parties that had evil intentions towards Iraq in order to prolong the pain and suffering being caused by the maintenance of the blanket embargo. For these reasons, General Amer told Mr. Santesson that the Iraqi side would no longer respond to recurring questions or to trivial questions that bore no relation to resolution 687 (1991). General Amer affirmed, however, that the Iraqi side was obliged to follow the instructions of Iraq's political leadership, which stipulated that full cooperation and support be given if the questions submitted and the information requested were relevant to resolution 687 (1991). General Amer stated to Mr. Santesson that the extent of the game in which the Special Commission was indulging had become clear and recognized, because Iraq had fulfilled the requirements of resolution 687 (1991), particularly its substantive requirements, and had responded to many questions and inquiries that had had no relation to resolution 687 but had not obtained anything of benefit to the Iraqi people in return.

(c) General Amer asked why the statement made by the Executive Chairman of the Special Commission to the Security Council on 23 November 1992 had contained no reference to the positive results obtained by the UNSCOM 45 inspection team, which had closed the file on ballistic missiles. The team's report, a copy of which had been sent to the Security Council, had been appropriately positive inasmuch as it had commended the cooperation of the Iraqi side in the performance of its task, during which it had realized how great an effort the Iraqi side had made to secure all the information

requested despite the fact that most of it bore no relation to resolution 687 (1991). General Amer said that the Iraqi side had hoped that the success of the mission of the UNSCOM 45 team would be the end of the game based on questions and inquiries, some of which were trivial and bore no direct relation to the objectives and requirements of resolution 687 (1991), but that had not happened. The feeling had been engendered on the Iraqi side that it had been deceived, because the statement made by Mr. Rolf Ekéus to the Security Council had neglected to make reference to the absolute openness it had evinced. Iraq had thus obtained no positive return to demonstrate its cooperative attitude, despite the great and wide-ranging cooperation it had shown in all fields and even with respect to matters that bore no relation to resolution 687 (1991).

(d) When General Amer indicated that he would punish anyone on the Iraqi side who undertook to provide the inspection teams with information that bore no relation to resolution 687 (1991) his intention had been clear, and it was the need to stop the inspection teams from using the technique of harassing Iraqi technicians with questions and inquiries that bore no relation whatever to the implementation of resolution 687 (1991).

(e) General Amer stressed, explicitly and out of a sense of responsibility, that he was conveying to Mr. Santesson the feelings of anger and great distress felt by all Iraqi citizens towards the inspection teams so that the Special Commission might perhaps understand the feelings of the Iraqi people on the maintenance of the embargo under the pretext that those teams were continuing to operate, so that further offence to the sentiments of Iraqi citizens might perhaps be avoided and so that the focus might perhaps be placed, in an objective spirit, on a serious endeavour in the framework of resolution 687 (1991) to bring an end to the suffering of the Iraqi people.

(f) General Amer stated to Mr. Santesson that whenever detailed and complete information was provided as requested by the Special Commission the Commission would come back once more and present new requests under the pressure of the fabrications, accusations and suspicions raised by the parties hostile to Iraq. Accordingly, the prevailing belief was that the inspection teams, in reality and regardless of the intentions of their members, had come to serve political and intelligence-related goals and interests that bore no relation to Security Council resolutions and that originated with parties hostile to Iraq. At this point, General Amer issued an invitation to Santesson to visit any hospital in Baghdad to witness for himself the suffering of Iraq's children and to observe the escalating mortality rates among them because of the unavailability of even the most elementary medical supplies and infant food.

(g) General Amer indicated that he felt that many requests to carry out aerial inspection and reconnaissance by the Special Commission's helicopter team were made for purposes of collecting intelligence information on Iraq that bore no relation to resolution 687 (1991). If that were not so, how were we to interpret the fact that these aircraft had carried out reconnaissance of civilian sites, such as the elementary school over which the UNSCOM 47 team

had flown in the Wasit Governorate, or the fact that they had in the past carried out reconnaissance of private farms, the property of citizens and private resort sites? With regard to the request submitted for flights over civilian residential neighbourhoods in Baghdad, General Amer said that the Iraqi side was requesting the Special Commission to adhere to the agreement reached with the aerial inspection team with regard to the boundaries of the City of Baghdad. The request for flights over the city was therefore unwarranted and provocative, and sites could be investigated by ground-based inspection teams.

On a number of occasions in the course of the meeting, General Amer affirmed Iraq's desire to cooperate with the Special Commission for the implementation of resolution 687 (1991). It saddens him that reports of the meeting ignored this affirmation in a manner that is cause for astonishment. The objective of such reports is, as it seems to us, to distort the position of the Iraqi side and to do it a disservice. General Amer again affirmed to Mr. Santesson that Iraq's position with respect to the implementation of resolution 687 (1991) was constant, namely that proclaimed by Deputy Prime Minister Mr. Tariq Aziz in his meeting with the Security Council on 23 and 24 November 1992.

General Amer pointed out that the inspection teams had seen everything and verified everything relating to resolution 687 (1991). All weapons and equipment prohibited by resolution 687 (1991) had been destroyed. That could not have been done without the full assistance and cooperation of the Iraqi side, and the Iraqi side had been expecting the Special Commission to fulfil its own obligations by recommending to the Security Council that the economic embargo against Iraq be lifted in accordance with paragraph 22 of resolution 687 (1991). Regrettably, however, nothing of the kind had happened.

The foregoing represents the substance and the details of General Amer Muhammad Rashid's talk with Mr. Johan Santesson. No doubt you can observe the great difference between the facts and realities we have communicated to you in this letter and the selective manner in which they are presented in the letter of Mr. Corden, with his detachment of short citations removed from the context in which General Amer spoke.

We request you to bring the contents of this letter to the attention of the members of the Security Council.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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14 December 1992

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LETTER DATED 14 DECEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF ALBANIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to attach herewith the letter that the Minister for Foreign Affairs of the Republic of Albania, Mr. Alfred Serreqi, has addressed to you.

I would be grateful if the text of this letter could be circulated as a document of the Security Council.

(Signed) Thanas SHKURTI
Ambassador
Permanent Representative of the Republic
of Albania to the United Nations

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Annex

Letter dated 11 December 1992 from the Minister for Foreign Affairs of Albania addressed to the President of the Security Council

As a follow-up to the letter of the Chairman of the Council of Ministers of the Republic of Albania, Mr. Aleksandër Meksi, addressed to you on 28 October 1992, on behalf of the Government of Albania, I have the honour to address myself to you once again regarding a range of problems deriving from the tragic and dangerous developments in former Yugoslavia.

The Government of the Republic of Albania has constantly and persistently voiced its concern about the tragic war in Bosnia and Herzegovina and the real present-day danger of its spread down to Kosova, the surrounding regions and over the Balkans. In all international forums and bodies, Albania has closely collaborated in finding peaceful ways acceptable to the parties involved in the conflict and in carrying out the international decisions on putting an end to the war and settling the crisis.

As you are aware, Albania has already suggested, through the letter of the Prime Minister of Albania, an advancement of the measures preventing the spread of the conflict, especially in Kosova, of which I deem it necessary to mention again the dispatch of United Nations forces, prohibition of military flights over its territory, establishment of control over heavy armaments, as well as adoption of such measures of a military character which would create, indeed, a situation of neutrality appropriate to stability in the region.

In its political and diplomatic action, the Republic of Albania proceeds from its desire for peace and stability in the region. We welcome any efforts, such as equal and unprejudiced negotiations, conducive to the settlement of the Yugoslav crisis, including the issue of the Albanians living there.

Unfortunately, the views hitherto of the Belgrade authorities, recently expressed in the letter of Prime Minister Panić (S/24807, annex), far from paving the way for flexibility and understanding to proceed with the dialogue, aim to underscore the fait accompli policy, which produces dangerous consequences. Such a policy, combined with the ethnic purge, constitutes, in our view, both a challenge and failure to implement international decisions and the Security Council resolutions. It not only obstructs international action to settle peace, but also renders the talks between the Kosova representatives and the Belgrade authorities more difficult, which, owing to failure on the part of the Belgrade representatives to carry out their promises, have yielded no results.

I would like, in this context, to mention that the recent developments in Kosova, provoked by the Serbian police and army, have caused fresh victims among the Albanians and aim at an explosion of the already perilous situation

in Kosova. The unprecedented actions in Kosova undertaken by Serbia go beyond the plane of violation of human rights, rendering the situation explosive and dangerous, which the United Nations Special Rapporteur, Mr. Tadeusz Mazowiecky, most distinctly ascertained.

While expressing once again the full support of the Republic of Albania of all the resolutions of the Security Council on former Yugoslavia, as well as the active efforts by the Secretary-General, His Excellency Boutros Boutros-Ghali, I would like to draw your attention once more to Mr. Meksi's letter, while kindly requesting that it be examined by the Security Council, so that the appropriate concrete measures can be determined. I assure you that my country will not fail to continue to contribute, by every diplomatic and political means, to the prevention of the spread of the conflict, closely collaborating with the international community and, in particular, with the countries of the region.

(Signed) Alfred SERREQI

UNITED NATIONS

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General Assembly Security Council

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S/24966
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ENGLISH
ORIGINAL: FRENCH

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Forty-seventh session
Agenda item 18
IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

SECURITY COUNCIL
Forty-seventh year

Letter dated 14 December 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Algeria to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith the position of my country in its capacity as an observer of the process for the settlement of the conflict in Western Sahara following the cancellation of the meeting of tribal chieftains from Western Sahara that was to be held on 30 November and 1 December 1992.

I should be grateful if you would have this letter and its annex issued as an official document of the General Assembly, under agenda item 18, and of the Security Council.

(Signed) Rabah HADID
Ambassador
Chargé d'affaires a.i.

ANNEX

Statement by Algeria on Western Sahara

1. Algeria has learned with great disappointment that the meeting of tribal chieftains from Western Sahara which was to have been held at Geneva on 30 November and 1 December 1992 did not take place.

2. When the Minister for Foreign Affairs of Algeria met with the Special Representative of the Secretary-General in New York on 2 November 1992, it seemed that a compromise had been reached that would have allowed the meeting to be held.

Specifically, it seemed that the position of the Frente POLISARIO regarding the need to select the 38 tribal chieftains from among those whose names were contained in the list submitted by the former Secretary-General of the United Nations to both parties on 26 March 1990 had been understood and accepted.

3. It is most unfortunate that, by once again calling into question the previously established framework for this meeting, a new stumbling block has been added to the difficulties already encountered in the implementation of the settlement plan.

4. It would be highly desirable for every effort to be made to bring the Kingdom of Morocco and the Frente POLISARIO to honour the commitments they have made to allow the Special Representative, under the authority of the Secretary-General of the United Nations, to implement the settlement plan in its entirety as originally conceived by the United Nations and accepted by both parties.

5. Algeria, for its part, will continue to support, as it has thus far, the efforts of the Secretary-General of the United Nations and his Special Representative to find a just and lasting settlement to the conflict in Western Sahara.

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Security Council

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S/24967
15 December 1992

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NOTE VERBALE DATED 10 DECEMBER 1992 FROM THE PERMANENT REPRESENTATIVE OF AUSTRALIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Australia to the United Nations presents his compliments to the Secretary-General and, with reference to the latter's note of 26 October 1992, has the honour to advise that Australia holds no petroleum, petroleum products, or funds or other assets of the Government of Iraq or of its State bodies, corporations or agencies.

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GENERAL ASSEMBLY
Forty-seventh session
Agenda items 30 and 35
QUESTION OF PALESTINE
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-seventh year

Letter dated 15 December 1992 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I enclose a copy of the Declaration on the Middle East Peace Process made by the Council of Ministers of the European Communities at its meeting in Edinburgh on 11 and 12 December 1992 (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as an official document of the General Assembly, under agenda items 30 and 35, and of the Security Council.

(Signed) D. H. A. HANNAY

ANNEX

Declaration on the Middle East Peace Process made by the Council of Ministers of the European Communities at its meeting in Edinburgh on 11 and 12 December 1992

The European Council reiterates its full support for the Middle East Peace Process in both its bilateral and multilateral aspects, and the role of the co-sponsors. It welcomes the commitment to the process of the incoming administration in the United States. The European Community will continue to play an active and constructive part in the process in accordance with its positions of principle on the basis for a just, lasting and comprehensive settlement.

The European Council is convinced that such a settlement is in the interests of Israel and its neighbours, of the Palestinians, and the Middle East region as a whole. The current peace process represents a great opportunity which must be seized if dangers to the stability of the region are to be avoided. The European Council calls on all parties concerned to press ahead with the negotiations constructively.

The European Council stresses the importance of assuring respect for human rights and of implementing confidence-building measures as a means of increasing the level of trust between the parties and taking the negotiations forward.

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Forty-seventh session
Agenda items 36 and 122
THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF PEACE, FREEDOM, DEMOCRACY AND DEVELOPMENT
FINANCING OF THE UNITED NATIONS OBSERVER MISSION IN EL SALVADOR

SECURITY COUNCIL
Forty-seventh year

Letter dated 15 December 1992 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I enclose a copy of the text of the conclusions on El Salvador drawn by the Council of Ministers of the European Communities at its meeting in Edinburgh on 11 and 12 December 1992 (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as an official document of the General Assembly, under agenda items 36 and 122, and of the Security Council.

(Signed) D. H. A. HANNAY

ANNEX

Conclusions on El Salvador drawn by the Council of Ministers of the European Communities at its meeting in Edinburgh on 11 and 12 December 1992

The European Council notes with satisfaction the progress reached so far in the fulfilment of the peace agreement signed on 16 January 1992 between the Government of El Salvador and the Farabundo Martí National Liberation Front. It also welcomes the adjustment of the implementation programme, as proposed by the Secretary-General of the United Nations. It hopes that these positive developments will ensure national reconciliation, thus putting an end to the armed conflict on 15 December.

The European Council calls upon both parties to show flexibility in order to allow the fulfilment of the remaining commitments and reaffirms the determination of the European Community and its member States to maintain their contribution to the national reconstruction of El Salvador.

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Agenda items 27 and 33
COOPERATION BETWEEN THE UNITED NATIONS AND THE ORGANIZATION OF AFRICAN UNITY
POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

SECURITY COUNCIL
Forty-seventh year

Letter dated 15 December 1992 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I enclose a copy of the text of the conclusions on Africa drawn by the Council of Ministers of the European Communities at its meeting in Edinburgh on 11 and 12 December 1992 (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as an official document of the General Assembly, under agenda items 27 and 33, and of the Security Council.

(Signed) D. H. A. HANNAY

ANNEX

Conclusions on Africa drawn by the Council of Ministers of the European Communities at its meeting in Edinburgh on 11 and 12 December 1992

The European Council confirms its commitment to improve conditions of life in Africa. During the last six months, the European Community and its member States have provided substantial food, medical and other humanitarian assistance to help overcome the disasters of drought and famine. In those countries most affected, they have provided up to half of the total aid.

The European Community and its member States have also been closely involved in efforts to end conflicts. Individually and jointly, they have supported United Nations activities to end the civil war in Liberia and have made significant political efforts to encourage the implementation of the peace agreements in Angola and Mozambique. In Angola the European Council urges both sides, particularly UNITA, to abide by the peace agreement, respect the cease-fire, proceed with demobilization and with the formation of the new unified armed forces. It calls upon UNITA to accept unequivocally the results of the elections held on 29 and 30 September 1992 and encourages the Government to continue the democratic process with a view to the reconciliation of the people of Angola.

The European Community and its member States fully support Security Council resolution 794 (1992) authorizing States Members of the United Nations to use all necessary means to provide a secure environment for humanitarian relief operations in Somalia. The European Council welcomes the humanitarian efforts of the Community and its member States and the contributions of a number of member States to the United Nations force. It hopes that the implementation of Security Council resolution 794 (1992) will encourage national reconciliation and promote a lasting political settlement. It attaches particular importance to ensuring the safety of the personnel involved in the relief effort.

In South Africa the European Council notes that the prospects for a resumption of negotiations have improved. It urges the parties to proceed soon to a transitional government and fully democratic elections. The European Community and its member States hope that the presence of European Community observers and the provision of development aid will help to put an end to all types of violence and assist a peaceful transition.

The European Council notes with concern reports from Kinshasa that President Mobutu has dismissed the Government and suspended the implementation of the democratic reforms decided by the National Sovereign Conference of Zaire. The European Council reaffirms the importance it attaches to the democratic process in Zaire, condemns any interference with that process and underlines its support for the present Government appointed by the National Conference.

The European Council recalls that the European Community and its member States have had cause to express concern in recent months about the human rights situation in a number of African countries. It is, nevertheless, encouraged by the continuing efforts being made in many countries to apply the principles of democracy, good government and human rights and to implement sound economic policies. The Community and its member States will continue to support those efforts.